

**MINUTES
FREMONT CITY COUNCIL REGULAR MEETING
MAY 12, 2009
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

1.1 Call to Order: Mayor Wasserman called the meeting to order.

1.2 Flag Salute: Councilmember Chan led the salute to the flag.

1.3 Roll Call: Present: Mayor Wasserman, Councilmembers: Harrison and Chan.
Absent: Vice Mayor Natarajan and Councilmember Wieckowski

1.4 Announcements by Mayor/City Manager

2. CONSENT CALENDAR

- * **2.1 Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Wasserman, Councilmembers: Harrison and Chan
Noes:	None
Absent:	Vice Mayor Natarajan and Councilmember Wieckowski
Abstain:	None

- * **2.2 Approval of Minutes – None.**

- * **2.3 Mayor Wasserman opened consideration of the Second Reading and Adoption of an Ordinance of the City of Fremont Amending Regulations in the Fremont Municipal Code Pertaining to Places of Entertainment**

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council adopted Ordinance No. 11-2009.

Ayes:	Mayor Wasserman Councilmembers: Harrison and Chan
Noes:	None
Absent:	Vice Mayor Natarajan and Councilmember Wieckowski
Abstain:	None

*** 2.4 Mayor Wasserman opened consideration of a Public Hearing (Published Notice) and Adoption of a Resolution Regarding FY 2009/10 CDBG Funds and Final Statement of Community Development Objectives and Action Plan**

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council:

1. Held a public hearing on the proposed FY 2009/10 CDBG Program Final Statement of Community Development Objectives and Projected Use of Funds and the FY 2009/10 CDBG Action Plan.
2. Adopted Resolution No. 2009-22 approving, and authorizing the City Manager or designee to submit, the FY 2009/10 CDBG Final Statement of Community Development Objectives and Projected Use of Funds and the FY 2009/10 CDBG Action Plan.
3. Adopted Resolution No. 2009-22 allocating FY 2009/10 CDBG funds in the amount stated herein, contingent upon adoption of the FY 2009/10 Budget by the City Council. Funds are to be appropriated by the City Council with the adoption of the City's 2009/10 Budget.
4. Authorized the City Manager or designee to execute a CDBG funding agreement with HUD as described in the staff report.
5. Adopted Resolution No. 2009-22 authorizing the City Manager or designee to execute agreements with agencies recommended for funding by staff and the Citizens Advisory Committee in the amounts set forth herein, contingent upon a finding of no significant impact in the corresponding environmental assessments, and contingent upon the adoption of the FY 2009/10 budget by the City Council.

Ayes: Mayor Wasserman
Councilmembers: Harrison and Chan
Noes: None
Absent: Vice Mayor Natarajan and Councilmember Chan
Abstain: None

*** 2.5 Mayor Wasserman opened consideration of a Public Hearing (Published Notice) and Adoption of a Resolution Regarding the Use of Homelessness Prevention and Rapid Re-Housing Funds and FY 2008/09 CDBG Action Plan Amendment**

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council:

1. Held a public hearing on the use of Federal HPRP funds.
2. Adopted Resolution No. 2009-23 approving the Use of HPRP Funds and the FY 2008/09 CDBG Action Plan Amendment.
3. Adopted Resolution No. 2009-23 allocating the HPRP funding in the amount stated herein, contingent upon the adoption of the FY 2009/10 Budget by the City Council.
4. Adopted Resolution No. 2009-23 authorizing the City Manager or designee to execute a CDBG funding agreement with the U.S. Department of Housing and Urban Development as described in the staff report.

Ayes: Mayor Wasserman
Councilmembers: Harrison and Chan

Noes: None
Absent: Vice Mayor Natarajan and Councilmember Wieckowski
Abstain: None

*** 2.6 Mayor Wasserman opened consideration of the Continuation of a Public Hearing (Published Notice) and Adoption of a Resolution Regarding Federal CDBG-R Funds and FY 2008/09 CDBG Action Plan Amendment**

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council continued this item to May 19, 2009.

Ayes: Mayor Wasserman
Councilmembers: Harrison and Chan
Noes: None
Absent: Vice Mayor Natarajan and Councilmember Wieckowski
Abstain: None

*** 2.7 Mayor Wasserman opened consideration of the Adoption of a Resolution Accepting FY 2009/10 Federal Supportive Housing Program (SHP) Renewal Funding for the Homeless Outreach for People Empowerment (HOPE) Project and Authorizing the City Manager to Execute Agreements with HUD and Partner Agencies**

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council:

1. Adopted Resolution No. 2009-24 accepting FY 2009/10 Federal SHP funding in the amount of \$269,790 and authorizing the City Manager or designee to execute an agreement with the Department of Housing and Urban Development in the amount of \$269,790.
2. Authorized the City Manager or designee to execute agreements with Abode Services in the amount of \$197,550 and Tri-City Health Center in the amount of \$82,597, effective July 1, 2009 through June 30, 2010, contingent on receipt and appropriation of funding.
3. Authorized the City Manager or designee to transfer SHP funding between Tri-City Health Center and Abode Services in an amount not to exceed 10% of the total SHP budget, or \$26,979.

Ayes: Mayor Wasserman
Councilmembers: Harrison and Chan
Noes: None
Absent: Vice Mayor Natarajan and Councilmember Wieckowski
Abstain: None

*** 2.8 Mayor Wasserman opened consideration of an Amendment to Solid Waste Collection Agreement with Allied Waste Industries to Settle Composting Services Dispute and Consent to Assign Current Contract to New Company, Republic Services, Inc.**

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council authorized the City Manager, or his designee, to execute the Fifth Amendment to

Agreement for the Collection, Processing and Disposal of Municipal Solid Waste, Recyclables, and Organic Waste, as attached.

Ayes: Mayor Wasserman
Councilmembers: Harrison and Chan
Noes: None
Absent: Vice Mayor Natarajan and Councilmember Wieckowski
Abstain: None

*** 2.9 Mayor Wasserman opened consideration of the Continuation of a Public Hearing (Published Notice) to Consider a Third-Party Appeal from Planning Commission Approval of a Planned District Minor Amendment for Site Plan and Architectural Review, a Planned Unit Development Rescission, and a Finding for Floor Area Ratio Increase for a New Two-Story 32,600 Square Foot Medical Office Building on a Currently Vacant and Unaddressed Parcel**

On a motion by Councilmember Harrison, seconded by Councilmember Chan, the City Council continued this item to June 2, 2009 and directed the City Clerk to republish the appropriate public hearing notice.

Ayes: Mayor Wasserman
Councilmembers: Harrison and Chan
Noes: None
Absent: Vice Mayor Natarajan and Councilmember Chan
Abstain: None

3. CEREMONIAL ITEMS

3.1 Proclamation: Asian American & Pacific Islander Heritage Month

3.2 Resolution: Recognition of Family Resource Center Volunteer Income Tax Assistance Volunteers

4. PUBLIC COMMUNICATIONS

4.1 Oral and Written Communications – None.

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY

6.1 Mayor Wasserman opened consideration of a Report Out from Closed Session of Any Final Action – None.

7. OTHER BUSINESS – None.

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals – None.

8.2 Oral Reports on Meetings and Events – None.

9. ADJOURNMENT: There being no further business, Mayor Wasserman adjourned the meeting at 7:15 p.m.

Attest:

Approved:

Dawn G. Abrahamson, City Clerk

BOB WASSERMAN, Mayor